

Page 2
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RECEIVED
DIVISION OF
OIL, GAS & MINING

UTAH DIVISION OF WILDLIFE RESOURCES' COMMENTS RELATIVE TO
CO-OP MINING COMPANY'S RESPONSE
TO THE DETERMINATION OF COMPLETENESS AND TECHNICAL DEFICIENCY REVIEW
FOR THE MINING AND RECLAMATION PLAN (MRP)
AT THE BEAR CREEK CANYON MINE

Page 1-7 to 1-12, summary fo environmental impacts

One of the subsections, probably "Impacts on current and future land use", should identify the total acres to be disturbed. Also, the "Vegetative Resources" subsection should identify acreage for each vegetation type to be disturbed. The opportunity to mitigate for impacts to wildlife caused by the presence of man in a mining industry should be identified in the "Fish and Wildlife" subsection. The Division of Wildlife Resources has developed a coal mining and wildlife training film for that purpose and it is available to industry.

Page 3-16, 3.4.2.3, Protection of Natural Surface Structures & Streams
The MRP must address measures to protect existing raptor nests from escarpment failure.

Page 3-28, 3.4.6.3.3, Flammable, paragraph 2

Diesel and gasoline storage tanks must have containment berms of suitable design to hold the entire volume of material if a leak were to occur. Bear Creek, although it does not sustain a fishery, is adjacent to the surface facilities and flows into stream section 3 of Huntington Creek. This stream section supports trout. It is a class 3 fishery, ranked as being of high-priority value to the state's sport fishery management program.

Page 3-36 and 3-37, 3.5.1, Preservation of Land Use

The MRP in the "Environmental Protection" section is unclear as to whether or not a commitment to reclaim consistant with plans in chapter 9 is actually made. This section and chapter 9 should be tied together; the reclamation plan as per our comments in chapter 9 is satisfactory.

Page 3-39 to 3-41, 3.4.1.2, Control Measures to Mitigate Impacts

This section of the MRP must reference the vegetation reclamation plan in chapter 9 and the wildlife mitigation plan in chapter 10.

Page 3-56, 3.5.5.s, Mitigation Measures to be Employed to Reduce Impacts on Vegetative Resources (seeding and planting)

The rate of application for native shrub re-plantings, potted seedlings and bare-root trees is not specified in the MRP. This data must be presented in order to fully evaluate reclamation.

Page 3-58 through 3-63, 3.5.6.1, Protected Impacts of Mining on Fish and Wildlife

The summarial discussion of potential inhabitation of the mine permit area by fish, amphibians, reptiles, birds and mammals is in error. The numbers of species and their classification as high interest and/or protected has been reported inaccurately. This data was provided to the applicant by the Division on May 22, 1981; it should be reported correctly.

Page 3-59 to 3-61, Mammals

Big game (mule deer and elk) habitat on the mine plan area is considered to be within two general categories - winter and summer range. The summer range is ranked as being a high-priority value and the winter range is of critical value. Impacts by the mining development are of significance to both animals, although the deer have been impacted the most. Surface disturbance associated with the mine has resulted in a loss of 10 acres of big game winter range. (Note, this same area once supported a substantial population of cottontail rabbits.) This information was provided to the applicant by the Division on May 22, 1981.

Note, the wildlife use area map (plate 10-1) is not an accurate portrayal of the distribution or ranking of big game seasonal use areas. Migration paths are unknown, but the paths as illustrated reflect general direction and typical corridors utilized. The plate (10-1) should be corrected.

Page 3-63, Aquatic Wildlife

Huntington Creek is located nearby to the permit boundary and surface disturbed areas (roads) as well as mining facilities lie in a perennial drainage (Bear Creek) less than 1.5 miles from its confluence with Huntington Creek. Due to the proximity of this high-valued fishery to the project, it is imperative that it be identified in the MRP and appropriate consideration be given to protect Bear Creek and ultimately Huntington Creek. (Reference comments for page 3-28 for fishery value of Huntington Creek.)

Page 3-64, 3.5.6.2, Mitigation Measures to be Employed to Protect Fish and Wildlife, paragraph 1

The breakout and ventilation shaft are not appropriately described in the MRP in order to determine mitigation needs. Construction may well need to be scheduled for a time of year when big game are not on critical valued use areas. The MRP needs to be more detailed in respect to this concern.

Page 3-73 to 3-75, 3.5.9, Waste Disposal Plans

A detailed description of the trail canyon rock storage site as it relates to wildlife, their use areas and habitats as well as potential impacts, must be presented in the MRP. A similar narrative and appropriate maps must be developed for storage of non-coal waste. The Division is especially concerned for oil and grease or other toxicants and their potential to reach Trail Creek or Bear Canyon Creek. Thus, discussion under 3.5.9.1 would be applicable and appropriate.

Page 3-76, 3.6, Reclamation Plan, paragraph 1

The MRP must specifically identify the intended post-mining land use so that proposed reclamation can be evaluated.

Paragraph 2

Reference comments provided for page 3-56.

Page 3-97 to 3-99, 3.6.5.2, Seeding and Transplanting

A specific revegetation plan must be developed to include plant material application rates. This section seems to be somewhat contrary to the specificity in chapter nine's reclamation plan?

Page 4-16, 4.5.1, Recontouring of the General Area, paragraph 3

The 33h:lv must be typographic error.

Page 4-16 and 4-17, 4.5.1, Wind Protection Barriers

The rock pile will not benefit wildlife. There is ample cover in the immediate area. The space to be occupied by the rock would be more valuable if planted so that it would produce forage for wildlife.

Chapter 9, Vegetation

Nowhere within the MRP is there reference to interim reclamation practices or a seed list. Wherever practicable it should be expected that interim reclamation be initiated.

Chapter 10, Wildlife

The chapter reflects substantial error in regards to inventory of wildlife associated with the project. The MRP should present complete data from a low level study on all wildlife (potential occurrence, season of use, relative abundance, legal status, population trend and preferred habitats or use areas); moderate level studies on the high interest wildlife species (indepth discussion of critical and high-priority life requisites needed to be understood for development of a mitigation plan); and high level field studies for raptors (reference memo from Douglas Day to Cleon Feight, June 9, 1981). It should be noted that much of this information was provided by the Division to the applicant on May 22, 1981. A detailed report concerning field raptor studies was also provided to the applicant November 17, 1983. This information must be appropriately displayed in the MRP.

Page 10-6 and 10-7 (reference table 10-1)

The decision process for assignment of impacts ranging from 0 to 10 must be discussed in intimate detail. The qualifications of the person(s) making the judgement must also be identified. It seems that this process is quite arbitrary and without scientific support or objectivity. For example, the loss of critical valued deer winter range on the project area cannot be accepted as a level "3" impact where "0" is low and "10" is high. This system seems to have no rational explanation. It would, therefore, be more acceptable to identify just the acreage and relative biological value to high interest wildlife of habitats to be lost or impacted.

Page 5
January 6, 1984
Dr. Diane Nielson

Page 10-8, 10.3.2.1, Aquatic Wildlife Habitat and Value Determination
The MRP make comment in regards to Trail and Bear Creeks. If the Trail Creek portion of Co-op's operation is to be included, the entire MRP must be appropriately modified. Impacts to Trail Creek by Co-op have been severe. They must be appropriately discussed in the MRP.

Table 10-2

The applicant indicates that numerous species have been observed on the project area. This is perplexing because to the Division's knowledge, no qualified wildlife biologist or other person has surveyed Co-op's project area. Taxonomic work would require a permit from the Division and no such permit has been issued.

Page 10-31 to 10-35, 10.5, Mitigation and Management Plans

The project has resulted in loss of nearly 10 acres of critical valued deer winter range. The MRP has not suggested any mitigation for such. The applicant is expected to mitigate for these losses. The access road (old road) is an area where revegetation could be considered.